

Claims 1-42 (Canceled).

43. (Currently Amended) A method of treating a metastatic tumour which occurs in but does not originate from the central nervous system of a human comprising intratumoral or intracranial injection of an avirulent herpes simplex virus type 1 (HSV-1), said avirulent HSV-1 ~~comprising a non-functional gene, wherein said non-functional gene consists of a non-functional γ 34.5 gene, wherein the herpes simplex virus type 1 infects and replicates within the tumour cells of the tumour~~ consisting of an HSV-1 genome which is mutated in the γ 34.5 gene so as to become a non-functional γ 34.5 gene, wherein the avirulent HSV-1 infects and replicates within the tumor cells of the tumor.

44. (Previously Added) A method according to claim 43 wherein the metastatic tumor occurs in the brain.

45. (Previously Added) A method according to claim 44 wherein the metastatic tumor is a metastasised melanoma.

Claim 46 (Canceled).

47. (Previously Added) A method according to claim 43 wherein the mutant virus is a herpes simplex virus type 1 which has been modified by deletion within the BamHI s restriction fragment of the R_L terminal repeat.

Claims 48-50 (Canceled).

51. (Previously Added) A method according to claim 43 wherein the mutant virus is strain 1716.

Claims 52-58 (Canceled).